

**CURRENT
MISSION AND FUNCTION STATEMENT**

OFFICE OF CHIEF COUNSEL

**OAK RIDGE OFFICE
OFFICE OF SCIENCE
U.S. DEPARTMENT OF ENERGY**

6.0 OFFICE OF CHIEF COUNSEL

6.1 Mission: The Chief Counsel and all attorneys are responsible professionally to the General Counsel. The Intellectual Property Counsel and attorneys are also responsible professionally to the Assistant General Counsel for Technology Transfer and Intellectual Property. Within delegations from the Department of Energy (DOE) General Counsel, the Chief Counsel acts as chief legal adviser to the Manager, Oak Ridge Office (ORO), and is responsible for matters of law and legal issues which arise in connection with the functions and programs administered by the Manager. Moreover, pursuant to services provided by the Office of Science (SC) Integrated Support Center, the Office of Chief Counsel (OCC) provides advice and counsel, on matters entailing law and legal issues, to several SC Site Offices. Furthermore, the OCC executes the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) program for ORO, National Nuclear Security Administration Production Office-Y-12, and the Portsmouth and Paducah Sites and is the Point of Contact for EEOICPA issues at such sites.

- 6.2 Functions. The Chief Counsel directly manages the following functions:
- a. Provides legal counsel as to the authority for, and legal implications of ORO and other serviced Site/Program Office activities.
 - b. Takes appropriate action to protect DOE interests in litigation and in administrative proceedings; represents DOE in administrative hearings pertaining to contract appeals, Federal human resources actions, personnel security, and environmental issues, and provides oversight of DOE major contractor litigation.
 - c. Approves, for legal sufficiency, claims by or against the Government.
 - d. Prepares or approves nonstandard management and operating and other prime contract language; prepares or approves, as to legal adequacy and propriety, other contractual and environmental compliance documents, delegations of authority, DOE Directives, and other legal documents; prepares all legal interpretations thereof; and reviews contractor purchase orders, subcontracts, and other legal documents that require DOE approval.

- e. Participates in contract and environmental compliance agreement negotiations for serviced organizations, and provides related legal counsel and assistance.
 - f. Grants patent approval for release or declassification of publications, speeches, and reports.
 - g. Prepares patent applications, amendments, and appeals for filing by DOE in the United States Patent and Trademark Office and the Canadian Patent Office, and preparing patent applications and directions for associate counsels in other foreign countries to file on behalf of DOE.
 - h. Administers the patent aspects of DOE contracts and subcontracts, including patent investigation of work performed, preparation of patent clearance notices, and issuance of final patent clearance certifications.
 - i. Processes and negotiates the patent and technical data aspects of requests for waiver of DOE's patent rights to inventions made under DOE contracts and subcontracts.
 - j. Processes EEOICPA document requests for the Department of Labor, National Institute for Occupational Safety and Health, and Part D Physician Panel.
 - k. Provides guidance to contractors and Contracting Officers on EEOICPA implementation issues.
 - l. Provides support to the Office of Scientific and Technical Information (OSTI). On request, the OCC provides legal services to OSTI in the functional areas described above.
 - m. The Freedom of Information Act (FOIA) and Privacy Act Officer (Officer) is organizationally assigned to the OCC. On request, the OCC provides legal advice to the Officer on FOIA and Privacy Act issues. The OCC also concurs when the FOIA/Privacy Act Officer recommends that access to a particular record should be denied.
 - n. Designated as Patent Counsel for the Savannah River Site, the OCC provides the legal services set forth in Paragraph 6.2 f-i above.
- 6.3 The OCC's mission is to provide legal advice, counsel, and representation to SC, ORO, the SC Site Offices, and ORO supported programs. This mission is executed through three Assistant Chief Counsels:

Assistant Chief Counsel for Regulatory and General Law (ACC-RGL)

The ACC-RGL provides legal advice and counsel in assuring program requirements are met in such areas as Alternative Financing; Environment, Safety, and Health; Real Estate; Security; Transportation; Nuclear Fuel Supply; Reservation Management; USEC Lease Administration; litigation arising from the areas above; and executes the Freedom of Information Act, Privacy Act, and EEOICPA functions for ORSC and respective site offices.

Assistant Chief Counsel for Contracts and General Law (ACC-CGL)

The ACC-CGL provides legal services on matters arising in areas including Acquisitions and Contracts; Appropriations; Taxes; Debt Collection; Federal Personnel; Labor (and Labor Relations); Pensions; Personal Property; Ethics and Standards of Conduct; Litigation (arising from the areas above); Litigation Management; Work For Others; and other duties as assigned.

Assistant Chief Counsel for Intellectual Property and Technology Transfer (ACC-IPTT)

The ACC-IPTT is responsible for reviewing reported inventions to determine the disposition of rights in the inventions, and for taking actions necessary to obtain and affect the Government's rights, whether the inventions are owned by the contractor or the Government; other areas for which the ACC-IPTT is responsible include ACT Reviews; Copyright Requests; Technology Transfer; Patent Infringement litigation; License Agreements; Work for Others issues; Joint Assignment Agreements; Trademark Issues; Cooperative Research and Development Agreements; and litigation arising from the areas above.